

## UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA

DEBRA BERRY,

Plaintiff,

No. C 23-04034 WHA

v.

7-ELEVEN, INC., et al.,

Defendants.

**FURTHER ORDER TO  
SHOW CAUSE**

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Previously, an initial case management conference was scheduled for “10/26/2023 11:00 AM in San Francisco, Courtroom 12, 19th Floor” (Dkt. No. 4). The docket notice stated that a joint case management statement was due by October 19, 2023. No case management statement was filed. Then, at the scheduled time for the initial case management conference, when this action was called, no party was present.

As such, plaintiff was ordered to show cause why this action should not be dismissed for lack of prosecution by submitting a sworn statement explaining her failure to appear by November 22, 2023, at 5:00 P.M. (Dkt. No. 13). A hearing on the statement was set for today, November 30, 2023, at 11:00 A.M. Again, no statement was filed, and no party was present at the hearing.

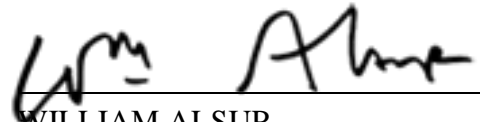
Plaintiff changed her address in the interim (*see* Dkt. No. 14). Although the order to show cause was promptly sent to plaintiff’s new address well-before today’s hearing (*see* Dkt. No. 17), the judge recognizes that there is a chance plaintiff never received it because the order

1 to show cause sent to her prior address was previously returned as undeliverable (*see* Dkt.  
2 No. 16). In light of that, as stated on the record, plaintiff will be given one last opportunity to  
3 appear, explain herself, and proceed with this case.

4 Plaintiff is hereby **ORDERED TO APPEAR AND SHOW CAUSE** why this action should not  
5 be dismissed for lack of prosecution by attending a hearing set for **JANUARY 11, 2023, at 11:00**  
6 **A.M.**, in Courtroom 12, which is on the 19th Floor of the Phillip Burton Federal Building  
7 located at 450 Golden Gate Avenue in San Francisco, California. Defense counsel is also  
8 **ORDERED TO APPEAR** at this hearing. As explained on the record, this order to show cause  
9 shall be sent to all of the addresses plaintiff has provided to date.

10 **IT IS SO ORDERED.**

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12 Dated: November 30, 2023.

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15 WILLIAM ALSUP  
16 UNITED STATES DISTRICT JUDGE  
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